

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

<p><b>Name or Brief Description of Proposal</b></p>	<p>Draft Disabled Adaptations Financial Assistance Policy</p>
<p><b>Brief Service Profile (including number of customers)</b></p>	<p>The draft Southampton City Council Disabled Adaptations Financial Assistance Policy sets out how the council can offer financial assistance in the form of grants or loans towards improving and repairing private housing stock in the city. This draft policy sets out assistance that the council is able to offer; who can apply, what it can be used for and any conditions attached to taking the assistance.</p> <p>Disabled Facilities Grant (DFGs) are provided to adapt a home environment to restore or enable independent living for individuals with a disability. The maximum amount of grant funding that can be awarded under a mandatory DFG is currently £30,000.</p> <p>The purposes for which a DFG may be given are set out in Housing Grants, Construction and Regeneration Act 1996 and can be summarised as follows:</p> <ul style="list-style-type: none"> <li>- Facilitating Access – works facilitate the disabled person’s access to their home or garden.</li> <li>- Making a Dwelling or Building Safe – adaptations to ensure the safety of the disabled person within their home.</li> </ul>

- Access to a room usable for sleeping.
- Access to a bathroom.
- Facilitating preparation and cooking of food – adaptations to enable the disabled person to utilise a kitchen.
- Heating, lighting and power – improvements to the home of the disabled persons home to meet their needs.
- Dependant Residents – works to enable a disabled occupant better access around the dwelling in order to care for a dependent.
- Common parts – works to the common parts of a building to facilitate access to the individual disabled person’s home or garden.

Under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO 2002), Local Authorities have powers and the flexibility to grant financial assistance packages including the power to provide Discretionary Disabled Adaptations Financial Assistance schemes. In order to legally be able to offer discretionary financial assistance any council must have a published strategy, have a specific policy to provide financial assistance which also sets out how this assistance will be provided.

This discretionary financial assistance can include assistance to meet people’s needs through adaptations to their homes in cases including (but not limited to) the following:

- Where the amount of spend exceeds the maximum amount awarded as a Disabled Facilities Grant (currently £30,000).
- To facilitate the relocation to a more suitable property for disabled people.
- To facilitate urgent adaptation to a home to enable hospital discharge.
- To facilitate essential repairs in addition to the mandatory DFG, to meet the needs of vulnerable individuals.
- Where the individual is significantly impacted by statutory means testing in relation to adaptations.
- To facilitate early adaptation in advance of the disabled person becoming eligible for DFG in the next 2 years, and an early adaptation will reduce risk of harm and cost of care package over future

years.

- To facilitate ongoing warranty for service, statutory inspection & maintenance of existing equipment so that it is safe, serviceable and legally compliant for continued use by the disabled person and/or carers.
- Financial assistance where Disabled occupant fails to qualify for Mandatory DFG due to calculated financial contribution level exceeding grant amount.
- Occupational therapy supported care or assisted technology adaptations needed to assist in improving the quality of life for those with disabilities and those living with Dementia.

Discretionary assistance may also be offered where a particular type of adaptation is not provided for within the mandatory DFG process, or where financial assistance will enable flexibility, quality and choice for the applicant to meet their specific needs, and help achieve person-centred integrated care.

Currently, Southampton City Council on average approve 145 DFG applications per year. There are currently 55 DFG applications on the waiting list.

During the period of 2018/19, Southampton City Council received 137 referrals and 58 of these have been approved.

The finances for DFG are paid by the Government into the Better Care Fund (BCF). This money is no longer ring fenced but any money not spent on DFG's must meet the BCF objectives and have approval from the Clinical Commissioning Group (CCG)

The amount issued by the Government via the Better Care Fund varies each year but is usually between £800k - £1.2million.

The council has reached agreement with the CCG for an annual amount to be released to the council to fund the discretionary adaptations grants. This finance will vary from year to year and there is no guaranteed amount in any year.

The council therefore are seeking approval to offer a discretionary disabled adaptation financial assistance

	<p>(DDAFA).</p> <p>Over the last two years there were 22 DFG applications that were declined and could have benefitted from a DDAFA. Further, there are 5 specific cases raised this year by the occupational therapists for clients that needed large scale projects where the cost would far exceed the mandatory DFG, therefore under the DDAFA these needs may have been met.</p> <p>Under the Equality Act 2010 the council must have due regard to its public sector equality duty when carrying out any of its functions. Age, sex and disability are some of the 9 protected characteristics under the Act. The aims of the Act are to eliminate discrimination, harassment, victimisation and any other prohibited conduct because of any of the protected characteristics; to minimise or removes disadvantages; to take steps to meet the different needs of people with different protected characteristics and enhancing equality of opportunity.</p> <p>The draft discretionary policy enables the council to meet its obligations under the Act and in particular enable disabled people to have full access to their property.</p>
<p><b>Summary of Impact and Issues</b></p>	<p>The draft Disabled Adaptations Financial Assistance Policy sets out how Southampton City Council can offer financial assistance in the form of grants or loans towards improving and repairing private housing stock in the city.</p> <p>Thus, the impact of this policy means that it allows Southampton City Council to do more with its discretionary powers. By using the powers given by legislation, Southampton City Council can help the community by using a strengths based approach which allows more people to stay independent in their own homes which leads to better outcomes for individuals and their families.</p>
<p><b>Potential Positive Impacts</b></p>	<p>The draft proposals for the Disabled Adaptations Financial Assistance Policy will enable the council to legally be able to offer discretionary financial assistance by using powers under the RRO 2002. The draft policy, clarifies what is the eligibility criteria for DFG's and what other discretionary assistance may be available in a</p>

	<p>more understandable format including who can apply, what it can be used for and any conditions attached to taking the financial assistance.</p> <p>The proposals ensure that Southampton City Council are able to use their discretionary powers effectively meaning more of the community can be assisted than the powers given in the DFG legislation.</p> <p>By using the discretionary powers more members of the community will be assisted in allowing them to stay independent in their own homes.</p> <p>If approved, this draft policy will enable the use of discretionary powers to use the current allocated fund to assist those in the community that require it, especially those who are on the current waiting list and who may not meet the criteria of the DFG.</p>
<b>Responsible Service Manager</b>	Steven Hayes-Arter – Service Manager – HMO Licensing & Adaptations
<b>Date</b>	19/11/2018

<b>Approved by Senior Manager</b>	Felicity Ridgway
<b>Signature</b>	
<b>Date</b>	19/11/2018

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	<p>Due to increasing aging population there is a higher amount of older persons in the community. Currently the life expectancy for men in Southampton is 78.5 years and for women 82.8 years. Statistics show that the age group of 65 – 74 year olds will increase by 6.7% in 2024 and the age group for 75 – 84 year</p>	<p>The draft policy and discretionary financial assistance will enable this group of people to be more independent, fully enjoy their accommodation and lead fulfilled lives.</p>

	<p>olds will go up by 28% in 2024. This would suggest that there will be an increasing amount of elderly people who are likely to need adaptations.</p> <p>There has been a National concern about the delayed discharge of people from hospitals. Older people and disabled people are more likely to be affected by this. One of the reasons for delayed discharges is the individuals home no longer meets the person's care and support needs.</p>	<p>The proposed discretionary financial assistance will have a positive impact on this as it will enable individuals to have adaptations done more quickly and adaptations to be done where previously they had to be declined under the DFG.</p> <p>A positive effect will be that personal budgets set under the Care Act 2014 may be lower as people's needs for domiciliary care may be lower after adaptations have been carried out. This will benefit both self-funders and people who are eligible for their care and support needs to be funded by the council</p>
<p><b>Disability</b></p>	<p>According to the current statistics and census 16.2% of the population in Southampton have long term health problems or a disability which implies they might need support or adaptations to allow them to be independent and live in their homes for longer. Further as indicated above the statistics show that the older population in Southampton is increasing and by 2024 the age group of 65 – 84 year olds will increase by 34.7%.</p>	<p>The draft policy and discretionary financial assistance will enable more disabled people to fully enjoy their accommodation and lead greater independent and fulfilled lives.</p> <p>This complies with the strength based approach and enables the council to comply with its statutory duties under the care Act 2014 including promoting peoples wellbeing and</p>

	<p>Currently, Southampton City Council on average approve 145 DFG applications per year. There are currently 55 DFG applications on the waiting list.</p> <p>During the period of 2018/19, Southampton City Council received 137 referrals and 58 of these have been approved.</p> <p>Over the last two years there were 22 DFG applications that were declined and could have benefitted from a DDAFA. Further, there are 5 specific cases raised this year by the occupational therapists for clients that needed large scale projects where the cost would far exceed the mandatory DFG, therefore under the DDAFA these needs may have been met.</p> <p>The likely impact of the draft policy could be negative in the sense this group of people may feel their dignity is affected by having to adapt their homes and infringe on their independence.</p> <p>There has been a National concern about the delayed discharge of people from hospitals. Older people and disabled people are more likely to be affected by this. One of the reasons for delayed discharges is the individuals home no longer meets the person's care and support needs.</p>	<p>preventing needs arising/escalating.</p> <p>The DDAFAs will go wider than the DFGs and applicants that do not satisfy the requirements of DFGs may still receive assistance through these discretionary powers.</p> <p>Further, the payment of the DDAFA is fully at the discretion of the Southampton City Council and there is no minimum or maximum amount.</p> <p>The draft policy actually gives the group dignity and more independence as without the adaptations, there may be a need for them to leave their home.</p> <p>The proposed discretionary financial assistance will have a positive impact on this as it will enable individuals to have adaptations done more quickly and adaptations to be done where previously they had to be declined under the DFG.</p>
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<b>Gender Reassignment</b>	No identified impacts	N/A
<b>Marriage and Civil Partnership</b>	No identified impacts	N/A
<b>Pregnancy and Maternity</b>	No identified impacts	N/A
<b>Race</b>	No identified impacts	N/A
<b>Religion or Belief</b>	No identified impacts	N/A
<b>Sex</b>	The draft policy is likely to affect females more as the life expectancy after 65 years of age is a further 17.9 years therefore women may face a longer period of requiring adaptations in their homes. Further, statistically 58% of carers are female according to Carers UK, therefore women are more likely to be affected by carers fatigue due to greater amount of people remaining independent in their homes.	The draft policy and discretionary financial assistance will enable this group of people to be more independent, fully enjoy their accommodation and lead fulfilled lives.
<b>Sexual Orientation</b>	No identified impacts	N/A
<b>Community Safety</b>	No identified impacts	N/A



<p><b>Poverty</b></p>	<p>Where the cost of the DDAFAs exceeds £5,000, Southampton City Council will place a charge against the property (limited to a maximum charge of £10,000). This will be repayable if the property is disposed or ownership is transferred, or the conditions of the grant are breached within ten years.</p>	<p>This is discretionary and Southampton City Council in each case will take into account the individual circumstances of an applicant in deciding whether the charge should be made or repaid if required.</p>
<p><b>Health &amp; Wellbeing</b></p>	<p>The draft policy aims to provide Southampton City Council with discretionary powers set out under the RRO 2002, which allows them to provide discretionary financial assistance. This draft policy enables the council to meet people's needs through adaptations to their homes.</p>	<p>The positive impact on health and wellbeing is the fact that the adaptations mean the Council are promoting people's wellbeing and preventing needs escalating and enabling people to develop their skills and live independently. This enable the council to comply with its obligations (not limited to) under the Care Act 2014, Children's and families Act 2014 and Equality Act 2010 protecting the vulnerable and reducing other resources in the community as the changes allow for the individual to remain safe in their homes.</p>

<b>Other Significant Impacts</b>	<p>Where the cost of the DDAFAs exceeds £5,000, Southampton City Council will place a charge against the property (limited to a maximum charge of £10,000). This will be repayable if the property is disposed or ownership is transferred, or the conditions of the grant are breached within ten years.</p> <p>The charge will only be placed on private owned homes and not applied to Tenants or Landlords, this may be seen as inequality to home owners.</p>	<p>This is discretionary and Southampton City Council in each case will take into account the individual circumstances of an applicant in deciding whether the charge should be made.</p>
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